

**UNITED STATES BANKRUPTCY COURT  
FOR THE EASTERN DISTRICT OF WISCONSIN**

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In re:

Greenpoint Tactical Income Fund LLC,  
  
Debtor.

Case No. 19-29613-gmh  
Chapter 11

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In re:

GP Rare Earth Trading Account LLC  
  
Debtor.

Case No. 19-29617-gmh  
Chapter 11

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**MOTION FOR JOINT ADMINISTRATION AND  
AUTHORIZING JOINT CHAPTER 11 PLAN**

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Greenpoint Tactical Income Fund LLC (“GPTIF”) and GP Rare Earth Trading Account LLC (“GPRT”) (each a “Debtor” and collectively, the “Debtors”), by their proposed attorneys, Steinhilber Swanson LLP, hereby move (the “Motion”) this Court, pursuant to Rule 1015(b) of the Federal Rules of Bankruptcy Procedure (the “Bankruptcy Rules”) for entry of an order (the “Order”) directing the joint administration of the Debtors’ Chapter 11 cases, and authorizing the Debtors to submit a joint Chapter 11 Plan of Reorganization. In support of this Motion, the Debtors respectfully represent as follows:

**Jurisdiction and Background**

1. This Court has jurisdiction over this matter pursuant to 28 U.S.C. §§ 157(a) and 1334(a), and the order of reference in this district entered pursuant to § 157(a). This is a core proceeding under 28 U.S.C. § 157(b)(2)(A). Venue is proper in this District pursuant to 28 U.S.C. §§ 1408 and 1409. Section 105(a) of the Title 11 of the United States Code (the “Bankruptcy

Code”) along with Federal Rule of Bankruptcy Procedure 1015 authorize the relief requested in this Motion.

2. On October 4, 2019 (the “Petition Date”), the Debtors each filed voluntary petitions for relief under Chapter 11 of the Bankruptcy Code, commencing the above-captioned cases.

3. The Debtors remain in possession of their property and are operating their business as debtors in possession, pursuant to §§ 1107 and 1108 of the Bankruptcy Code.

4. No request for appointment of a Chapter 11 trustee or examiner has been made, and, as of the date of this Motion, no official committee has been appointed.

5. These cases have each been assigned to The Honorable G. Michael Halfenger, Chief Judge of the Bankruptcy Court for the Eastern District of Wisconsin.

#### **Request for Relief**

6. By this Motion, each of the Debtors moves for joint administration of their respective cases. The Debtors submit that joint administration is in the best interest of each of the Debtor’s estates and will ease the administrative burden on their creditors, this Court, and other interested parties.

7. It is also the Debtors’ desire and intent to file one comprehensive, joint Chapter 11 Plan, and to simplify the administration of the cases while they are pending. The issues facing the Debtors are communal in nature, and judicial efficiency dictates joint administration of the cases. Additionally, given the relationship between the Debtors, pursuing a global Chapter 11 Plan is also sensible and appropriate. Granting this relief will eliminate the needless expense associated with, for example, filing identical motions in multiple cases, having multiple hearings on an issue that is common to all the cases, and pursuing confirmation of identical or nearly identical Chapter 11 Plans.

8. By this Motion, the Debtors request that this Court enter an Order, pursuant to Bankruptcy Rule 1015(b), directing the joint administration of these Chapter 11 cases, and authorizing the Debtors to submit a joint Chapter 11 Plan. The Debtors further request that such relief apply generally to each of the Debtor's Chapter 11 cases and pleadings, and that such pleadings bear the following joint administration caption:

**UNITED STATES BANKRUPTCY COURT  
FOR THE EASTERN DISTRICT OF WISCONSIN**

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In re:

Greenpoint Tactical Income Fund LLC, and	Case No. 19-29613-gmh
GP Rare Earth Trading Account LLC,	Case No. 19-29617-gmh
Jointly Administered Debtors.	Chapter 11 (Jointly Administered Under Case No. 19-29613)

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9. The Debtors request that no other information beyond that set forth above be required for captioned pleadings in these cases.

10. The Debtors request that all pleadings and papers filed in these cases shall be captioned as in the preceding paragraph and filed in the docket of ***Case Number 19-29613-gmh*** (the "Lead Case") only, except that proofs of claim shall be filed in the case to which they apply.

11. The Debtors request that the Clerk be directed to make a docket entry in each of the jointly administered cases which reads substantially as follows:

*An order has been entered in this case consolidating the cases of Greenpoint Tactical Fund LLC, and GP Rare Earth Trading Account LLC, for procedural purposes, and providing for its joint administration under the docket for Greenpoint Tactical Fund LLC, case no. 19-29613-gmh, in accordance with the terms thereof.*

### **Basis for Relief Requested**

12. Pursuant to Federal Rule of Bankruptcy Procedure 1015 and 11 U.S.C. § 105, the Court has the power to order joint administration of bankruptcy cases in the interest of economical and expeditious resolution, and should do so when the facts of the cases dictate.

13. An order of joint administration relates to the routine administration of a case and may be entered by the Court in its sole discretion. The entry of joint administration orders in multiple related cases such as these is common and generally non-controversial in this district and elsewhere. *See, e.g., In re Taxi USA, Inc.*, Case No. 0702188 (Bankr. N.C. Ill. Feb. 20, 2007); *In re Muth Mirror Systems, LLC*, Case No. 06-25609 (MDM) (Bankr. E.D. Wis. Oct. 6, 2006); *In re FV Steel and Wire Co.*, Case No. 0422421 (SVK) Bankr. E.D. Wis. Feb. 24, 2004); *In re Monarch Holdings, Inc.*, Case No. 08-14796 (TSU) (Bankr. W.D. Wis. Sept. 15, 2008); *In re Allied Stone, LLC*, Case No. 14-10964 (RDM) (Bankr. W.D. Wis. March 11, 2014).

14. The Debtors believe that the interests of all creditors will be enhanced by the reduction in costs resulting from joint administration. Furthermore, the Debtors submit that joint administration will also relieve the Court from the burden of entering duplicative orders and maintaining duplicative files, and it will simplify the Office of the United States Trustee's supervision of the administrative aspects of these Chapter 11 cases.

15. The rights of the creditors of the Debtors will not be adversely affected by joint administration of the cases or by authorizing the Debtors to file a joint Chapter 11 Plan. To the extent there are separate creditors among the Debtors, they will be treated in the joint plan as they would have been treated in separate individual plans.

16. An order of joint administration relates to the routine administration of a case and may be entered by the Court in its sole discretion. The entry of joint administration orders in multiple related cases such as these is common and generally non-controversial.

17. No prior request for the relief requested herein has been made to this or any other Court.

WHEREFORE, the Debtors respectfully request the Court enter an order directing that:

- A. The Motion is granted;
- B. These Chapter 11 cases are jointly administered, for procedural purposes only;
- C. The joint caption of these cases shall be as proposed in this Motion;
- D. All pleadings and papers filed in these cases, with the exception of proofs of claim, shall be captioned as proposed by this Motion;
- E. Proofs of claim applicable to the Debtors shall be filed in the appropriate case;
- F. All docket entries in these cases shall be made in the case of Greenpoint Tactical Income Fund LLC, Case No. 19-29613-gmh;
- G. The Clerk make a docket entry in the case of GP Rare Earth Trading Account LLC, Case No. 19-29617-gmh, substantially as follows:
  - a. An Order has been entered in this case directing joint administration of this case with the bankruptcy case of Greenpoint Tactical Income Fund LLC, Case No. 19-29613-gmh, for procedural purposes only, and providing for its joint administration in accordance with the terms thereof;
- H. Debtors are authorized to file a joint Chapter 11 Plan;

- I. The Order is effective immediately upon its entry, and directing the Clerk to enter this Order on the docket of each case; and
- J. Granting such other and further relief the Court deems just and appropriate.

Dated this 8<sup>th</sup> day of October, 2019.

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